



CITY OF HAYWARD AGENDA REPORT

Planning Commission

Meeting Date 04/27/00

Agenda Item 3

TO: Planning Commission

FROM: Dyana Anderly, Planning Manager

SUBJECT: Variance No. 00-180-05 - Arcelina and John Emory (Applicants/Owners): Request to Construct an Addition to a Dwelling 15 Feet From the Front Property Line Where a Minimum of 20 Feet is Required - The Project Location is 24918 Broadmore Avenue, Easterly Side, Approximately 50 Feet North of Lindhurst Lane (Santa Clara Neighborhood) in the Single-Family Residential (RS) District

RECOMMENDATION:

Staff recommends that the Planning Commission deny the variance.

BACKGROUND:

The property is located within a single-family subdivision of similar homes. The 5,400 square-foot rectangular parcel measures 60 feet x 90 feet. The parcel is developed with a one-story single-family residence. Many of the homes in the area, including the subject home, were built with garages and family rooms constructed only 15 feet from the front property lines. The remaining portions of the homes are set back at least 20 feet from the front property line, and in many cases about 25 feet from front property lines.

The applicants are requesting a 56-square-foot expansion of their kitchen toward the front property line, which would result in more than half of the front portion of the house being only 15 feet from the front property line. Since the required setback is 20 feet, approval of a variance is required to carry out the project. No other similar variances have been granted in the neighborhood, and there is nothing unusual about the size or shape of the parcel that, in staff's opinion, would justify approval of a variance. In staff's opinion, allowing a variance in this instance opens the possibility of variances for other lots in this neighborhood since most other lot sizes and configurations and housing designs in the area are similar to the applicant's. Therefore, there is the potential to change the character of the neighborhood.

ENVIRONMENTAL REVIEW:

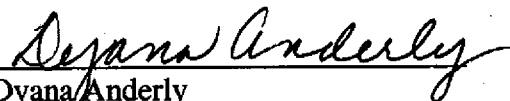
The proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15305, *Minor Alterations to Land Use Limitations*.

PUBLIC NOTICE:

On March 2, 2000, a Referral Notice was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. Notice was also provided to the former task force members of the Santa Clara Neighborhood Plan. The Referral Notice provided an opportunity for persons to comment on the project. One telephone inquiry was received, which suggested that the applicant might be expanding a home-based business, which does not appear to be the case.

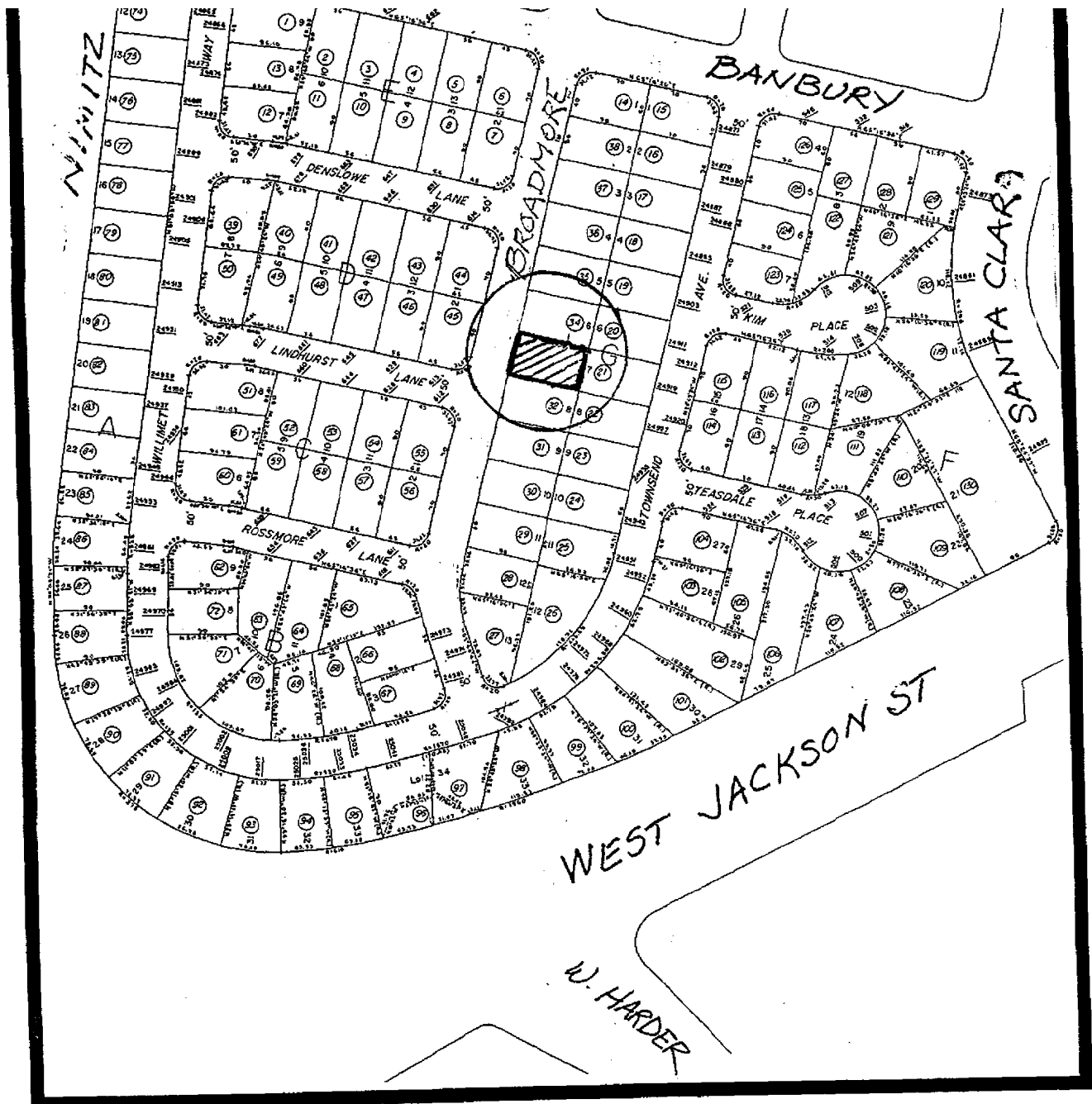
On April 17, 2000, a Notice of Public Hearing for the Planning Commission meeting was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. Notice was also provided to Santa Clara Neighborhood Plan Task Force members.

Prepared by:


Dyana Anderly
Planning Manager

Attachments:

- A. Area Map
- B. Findings
Plans



Area Map for 24918 Broadmore Avenue
Variance No. 00-180-05 to Reduce Req'd Front

ATTACHMENT A

VARIANCE APPLICATION NO. 00-180-07
Arcelina and John Emory (Applicants/Owners)
FINDINGS
April 27, 2000

Findings For Denial – Request to expand a kitchen encroaching into the required 20-foot front yard setback.

- A. The proposed project is Categorical Exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15305, *Minor Alterations to Land Use Limitations*.
- B. There are no special circumstances applicable to the property regarding this request in that the characteristics of the subject property are similar to other parcels in the vicinity.
- C. Strict application of the Zoning Ordinance would not deprive such property of privileges enjoyed by other property in the vicinity under the same zoning classification in that no other similar variances have been approved in the vicinity.
- D. The variance would constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and the Single-Family Residential zone in which the property is situated.
- E. The variance would compromise the purpose of the zone district and detrimental impact would result in that the required and desired open space would be reduced. Reducing the required front yard area on a potentially large number of parcels could change the character of the neighborhood.